IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Civil Contempt Petition No. 207 of 2006

Committee of Management
Adarsh Junior High School
Dhauladevi Almora through its
Manager .....Petitioner

Vs.

Sri S.K. Maheshwari
Director/Additional Secretary
Education Department, Uttaranchal
Dehradun ..... Opposite Party

Sri A.D. Tripathi, learned counsel for the petitioner.

Hon'ble B.C. Kandpal, J.

This contempt petition has been filed by the Committee of Management against the Director, Education Department on the ground that the respondent has willfully disobeyed the order dated 17.04.2006 passed by this Court in Writ Petition No. 738 of 2005 (S/S).

Heard Sri A.D. Tripathi, learned counsel for the petitioner and perused the record.

The order dated 17.04.2006 passed by this Court runs as follows:-

"Heard.

Following Interim order was granted on 18.07.2005.

The writ petition is disposed of in terms of the order dated 18.07.2005. Respondent No. 2 is directed to dispose of he representation within a period of six weeks from filing the certified copy of the order.

The aforesaid order shows that respondent No. 2 who is the Director, Education Department was directed to dispose of the representation of the petitioner. The counter affidavit has been filed by the Director, Education in which it has averred that the order dated 17.04.2006 passed by this Court has been complied with by the Director, Education as representation has been decided on 02.08.2006 and the representation has been rejected on merit. The order rejecting the representation dated 02.08.2006 has been annexed as CA-1 to the counter affidavit.

Annexure No. CA-1 in the counter affidavit indicate that the representation of the petitioner was decided after considering the each and every aspect.

In the aforesaid circumstances, the contempt petition fails. Accordingly, the contempt petition is dismissed.

Notice issued to the respondent is hereby discharged.

(B.C.Kandpal, J.)

12.10.2006
ASWAl